

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|----------------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. 8:06CR125 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| CURTIS RICHARDSON, |) | |
| |) | |
| Defendant. |) | |

This matter is before the Court on the following: the Defendant's motion challenging the Court's tentative findings (Filing No. 49) and the supporting brief (Filing No. 50) and exhibits (Filing No. 52); and the Defendant's motion to continue the sentencing hearing (Filing No. 53).

Challenge to Tentative Findings

The Defendant objects to the predicate offenses set out in ¶¶ 38 and 39 that allegedly qualify him for career offender status pursuant to U.S.S.G. § 4B1.1. The objection will be heard at the previously scheduled sentencing hearing on March 12, 2007. The government bears the burden of proof by a preponderance of the evidence.

Motion to Continue Sentencing

The Defendant's motion to continue sentencing is denied.

IT IS ORDERED:

1. The Defendant's objections to the Court's tentative findings (Filing No. 49) will be heard at the sentencing hearing scheduled for March 12, 2007; and

2. The Defendant's motion to continue the sentencing hearing (Filing No. 53)
is denied.

DATED this 9th day of March, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge